

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:12-CR-1-D

UNITED STATES OF AMERICA)
)
 v.)
)
RICKY LAMONT CONGLETON)

**FINAL ORDER OF FORFEITURE
IN RESPECT TO REAL PROPERTY**

WHEREAS, on February 21, 2012 this Court entered a Preliminary Order of Forfeiture pursuant to the provision of 18 U.S.C. § 981(a)(1)(C), as made applicable by Title 28 U.S.C. § 2461, based upon the defendant pleading guilty to 18 U.S.C. § 1349, and agreeing to the forfeiture of the property listed in the February 21, 2012 Preliminary Order of Forfeiture, to wit:

- One (1) open/vacant beach front lot located within the Parish Westmoreland, Negril, Jamaica. The Transfer of Land, Office of Titles, Jamaica, shows the transfer of land from RBTT Bank of Jamaica Limited to AMST Holdings Limited, 125 Main Street, Road Town, Tortola, British Virgin Islands. AMST Holdings is a company that was formed by Thurman Herndon and Congleton to purchase this particular property. The certificate of title is registered at Volume 1375, Folio 829 of the Register Book of Titles. The transfer of land notes there are joint tenants and the document is signed by Thurman W. Herndon Jr., Director, and Ricky Congleton, Director;

AND WHEREAS, the United States published notice of this forfeiture at the www.forfeiture.gov web site for at least 30 consecutive days, between August 5, 2013 and September 3, 2013, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty of Maritime Claims and Asset Forfeiture Actions, and said published notice advised all third parties of their right to petition the court within sixty (60) days from the first day of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property;

AND WHEREAS, the potential petitioners as to the subject property are Treshell Herndon, Thurman Herndon, Jr. (deceased), Thurman Herndon, Sr., and Brenda Herndon;

AND WHEREAS, service of the Preliminary Order of Forfeiture was made on Thurman Herndon, Sr. and Brenda Herndon via personal service on September 15, 2016 by an agent of the U. S. Department of Housing and Urban Development, Office of Inspector General;

AND WHEREAS, service of the Preliminary Order of Forfeiture was made on Treshell Herndon via personal service on March 14, 2017 by an agent of the U. S. Department of Housing and Urban Development, Office of Inspector General;

AND WHEREAS, on April 13, 2017 a claim of interest by Treshell Herndon was filed in this action, and then, on April 27, 2017, it was withdrawn;

AND WHEREAS, it appears from the record that no other petitions or claims, contested or otherwise, have been filed for the subject real property described in this Court's February 21, 2012 Preliminary Order of Forfeiture, other than that specifically mentioned herein as withdrawn;


It is HEREBY ORDERED, ADJUDGED and DECREED:

1. That the subject property listed in the February 21, 2012 Preliminary Order of Forfeiture is hereby forfeited to the United States, that is, the real property located within the Parish Westmoreland, Negril, Jamaica. The United States Department of Justice is directed to dispose of the subject real property according to law.

2. No petitions having been filed by the other parties who may have an interest, that is, Thurman Herndon, Sr. and Brenda Herndon, and the petition of Treshell Herndon having been withdrawn and Thurman Herndon, Jr. having died, leaving no interest to be adjudicated, all right, title and interest in the real property is vested in the United States, and these parties shall have no interest in or right in the real property or claim to the proceeds of sale of the real property. Pursuant to 21 U.S.C. § 853(n)(7), as made applicable by 18 U.S.C. § 982(b)(1), the United States shall have clear title to the real property and may warrant good title to any subsequent purchaser or transferee.

3. Any and all forfeited funds shall be deposited by the United States Department of Justice as soon as located or recovered into the Department of Justice's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C.

SO ORDERED. This 2 day of June 2017.



JAMES C. DEVER III
Chief United States District Judge